



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2016–2017

MINUTES OF PROCEEDINGS

No 40

THURSDAY, 2 NOVEMBER 2017

- 1** The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 CHIEF MINISTER—PROPOSED MOTION OF NO CONFIDENCE

Mr Coe (Leader of the Opposition), pursuant to notice, moved—That this Assembly no longer has confidence in the Chief Minister, Mr Andrew Barr MLA, due to the Government’s engagement in corrupt decisions.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 9

Mr Coe	Mr Milligan
Mr Hanson	Mr Parton
Mrs Jones	Mr Wall
Mrs Kikkert	
Ms Lawder	
Ms Lee	

NOES, 12

Mr Barr	Mr Gentleman
Ms Berry	Ms Le Couteur
Ms Burch	Mr Pettersson
Ms Cheyne	Mr Ramsay
Ms Cody	Mr Rattenbury
Ms Fitzharris	Ms Stephen-Smith

And so it was negatived.

3 E-PETITIONS AND PETITION—MINISTERIAL RESPONSES

The Clerk announced that the following responses to petitions had been lodged:

Ms Fitzharris (Minister for Transport and City Services), dated 1 November 2017—Response to e-petition No 15-17, lodged by Ms Lee on 1 August 2017, concerning bus services between Deakin, Kingston and Manuka.



Mr Gentleman (Minister for Planning and Land Management), dated 1 November 2017—Response to e-petition No 14-17 and petition No 17-17, lodged by Ms Lee on 1 August 2017, concerning advertising billboards.

4 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business) presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Civil Law (Wrongs) Act—Civil Law (Wrongs) Institute of Public Accountants Professional Standards Scheme 2017—Disallowable Instrument DI2017-254 (LR, 19 October 2017).

Environment Protection Act—Environment Protection (Fees) Determination 2017 (No 3)—Disallowable Instrument DI2017-252 (LR, 12 October 2017).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 8)—Disallowable Instrument DI2017-253 (LR, 20 October 2017).

5 REPORTABLE CONDUCT AND INFORMATION SHARING LEGISLATION AMENDMENT BILL 2017

Mr Barr (Chief Minister), pursuant to notice, presented a Bill for an Act to amend legislation about reportable conduct and information sharing, and for other purposes.

Papers: Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 1 November 2017.

Title read by Clerk.

Mr Barr moved—That this Bill be agreed to in principle.

Debate adjourned (Ms Lawder) and the resumption of the debate made an order of the day for the next sitting.

6 RACING (GREYHOUNDS) AMENDMENT BILL 2017

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Racing Act 1999*, and for other purposes.

Papers: Mr Ramsay presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 1 November 2017.

Title read by Clerk.

Mr Ramsay moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Parton) and the resumption of the debate made an order of the day for the next sitting.

7 DOMESTIC ANIMALS (RACING GREYHOUNDS) AMENDMENT BILL 2017

Ms Fitzharris (Minister for Transport and City Services), pursuant to notice, presented a Bill for an Act to amend the *Domestic Animals Act 2000* and the *Domestic Animals Regulation 2001*, and for other purposes.

Papers: Ms Fitzharris presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 1 November 2017.

Title read by Clerk.

Ms Fitzharris moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Parton) and the resumption of the debate made an order of the day for the next sitting.

8 LEGISLATIVE ASSEMBLY LEGISLATION AMENDMENT BILL 2017

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Detail Stage

Bill, by leave, taken as a whole—

On the motion of Ms Burch (Speaker), by leave, her amendments Nos 1 to 3 ([see Schedule 1](#)) were made together.

Bill, as a whole, as amended, agreed to.

Question—That this Bill, as amended, be agreed to—put and passed.

9 PRESENTATION OF PAPERS

Mr Gentleman (Minister for Planning and Land Management) presented the following papers:

Planning and Development Act, pursuant to subsection 242(2)—Statement of leases granted for the period 1 July to 30 September 2017.

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Quarterly report—1 July to 30 September 2017.

10 EXECUTIVE MEMBERS' BUSINESS—PRECEDENCE

Ordered—That Executive Members' business be called on forthwith.

11 RECREATIONAL CYCLING TOURISM

Mr Rattenbury, pursuant to notice, moved—That this Assembly

- (1) notes:
 - (a) recreational forest trails in Kowen Forest, and across Canberra, are highly valued by the community, are popular recreational venues for cycling events, and are a cycling tourism attraction for the ACT;
 - (b) logging operations in Kowen Forest have recently destroyed a high quality network of trails and further planned logging operations in Kowen and Majura Pines will destroy further trails, significantly impacting the areas as riding and recreational destinations;
 - (c) protecting and enhancing the network of recreational forest trails, in combination with investment in urban cycling, is critical for making Canberra the genuine “cycling capital”; and
 - (d) several other Australian regions are currently investing heavily in mountain biking infrastructure with a view to building a mountain bike tourism industry; and
- (2) calls on the Government to:
 - (a) investigate options to retain existing trails in Kowen Forest and Majura Pines;
 - (b) conduct an analysis of the value of recreational trails across Canberra (including Kowen Forest), including their social, health, economic and recreational value;
 - (c) produce an ACT Cycling Tourism Strategy, and Mountain Biking Strategy, with the goals of growing tourism and recreational cycling opportunities and participation, better managing cycling resources, and improving relationships with cycling stakeholders;
 - (d) work with stakeholders to identify further areas for additional trail development to provide long term opportunities and certainty; and
 - (e) report back to the Assembly on progress in the first sitting week of 2018.

Mr Gentleman (Minister for Planning and Land Management) moved the following amendment: Omit paragraph (2)(c), substitute:

- “(c) produce an ACT Cycling Tourism Strategy that covers all cycling disciplines, including mountain biking. The strategy should be financially, socially and environmentally sustainable, be developed in consultation with community interest groups, and outline how government, the private sector and community groups can work together to create a cycling destination with world-class trails and urban cycleways;”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) recreational forest trails in Kowen Forest, and across Canberra, are highly valued by the community, are popular recreational venues for cycling events, and are a cycling tourism attraction for the ACT;
 - (b) logging operations in Kowen Forest have recently destroyed a high quality network of trails and further planned logging operations in Kowen and Majura Pines will destroy further trails, significantly impacting the areas as riding and recreational destinations;
 - (c) protecting and enhancing the network of recreational forest trails, in combination with investment in urban cycling, is critical for making Canberra the genuine “cycling capital”; and
 - (d) several other Australian regions are currently investing heavily in mountain biking infrastructure with a view to building a mountain bike tourism industry; and
- (2) calls on the Government to:
 - (a) investigate options to retain existing trails in Kowen Forest and Majura Pines;
 - (b) conduct an analysis of the value of recreational trails across Canberra (including Kowen Forest), including their social, health, economic and recreational value;
 - (c) produce an ACT Cycling Tourism Strategy that covers all cycling disciplines, including mountain biking. The strategy should be financially, socially and environmentally sustainable, be developed in consultation with community interest groups, and outline how government, the private sector and community groups can work together to create a cycling destination with world-class trails and urban cycleways;
 - (d) work with stakeholders to identify further areas for additional trail development to provide long term opportunities and certainty; and
 - (e) report back to the Assembly on progress in the first sitting week of 2018.”—

be agreed to—put and passed.

12 EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE—INQUIRY—UNIVERSITY OF CANBERRA—ANNUAL REPORT 2016—STATEMENT BY CHAIR

Mr Pettersson (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Education, Employment and Youth Affairs had resolved to conduct an inquiry into, and report on, the 2016 University of Canberra annual report.

13 FINANCIAL INTEGRITY AND COMPLIANCE

Mr Barr (Chief Minister), pursuant to notice, moved—That this Assembly:

- (1) notes the importance of financial integrity and compliance controls in procurement; and
- (2) commits to:
 - (a) investigating the feasibility of improving the linkages between our contract and financial management systems and processes to enable reporting on contracts associated with invoices on the notifiable invoices register; and
 - (b) reporting back to the Assembly on the outcomes of this assessment by 1 July 2018.

Mr Coe (Leader of the Opposition) moved the following amendment: Omit paragraph (2)(b), substitute:

- “(b) reporting back to the Assembly on the outcomes of this assessment by no later than the first sitting day of June 2018;
- (c) investigating the obstacles in changing the current notifiable invoice register threshold of \$25 000 when exporting data for publication and reporting back to the Assembly by the last sitting day of 2017; and
- (d) investigating whether the contract number is, or can be, entered into the Oracle Financials system and reporting back to the Assembly by the last sitting day of 2017.”.

Debate continued.

Ordered—That the question be divided.

Paragraph (2)(b)—Agreed to.

Paragraphs (2)(c) and (d)—Negatived.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes the importance of financial integrity and compliance controls in procurement; and
- (2) commits to:
 - (a) investigating the feasibility of improving the linkages between our contract and financial management systems and processes to enable reporting on contracts associated with invoices on the notifiable invoices register; and
 - (b) reporting back to the Assembly on the outcomes of this assessment by no later than the first sitting day of June 2018.”—

be agreed to—put and passed.

14 CASINO (ELECTRONIC GAMING) BILL 2017

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Paper: Mr Ramsay (Attorney-General) presented a revised explanatory statement to the Bill.

Question—That this Bill be agreed to in principle—put.

The Assembly voted—

AYES, 10		NOES, 7	
Mr Barr	Ms Le Couteur	Mr Coe	Mr Milligan
Ms Berry	Ms Orr	Mr Hanson	Mr Parton
Ms Burch	Mr Pettersson	Mrs Jones	
Ms Cheyne	Mr Ramsay	Mrs Kikkert	
Ms Cody	Mr Rattenbury	Ms Lawder	

And so it was resolved in the affirmative.

Detail Stage

Bill, by leave, taken as a whole—

Mr Rattenbury, by leave, moved his amendments Nos 1 and 2 together ([see Schedule 2](#)).

Mr Ramsay, by leave, moved his amendments Nos 1 and 2 to Mr Rattenbury's proposed amendments together ([see Schedule 3](#)).

Paper: Mr Ramsay presented a supplementary explanatory statement to the Government amendments.

Debate continued.

Question—That Mr Ramsay's amendments to Mr Rattenbury's proposed amendments be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 7	
Mr Barr	Ms Le Couteur	Mr Coe	Mr Milligan
Ms Berry	Ms Orr	Mr Hanson	Mr Parton
Ms Burch	Mr Pettersson	Mrs Jones	
Ms Cheyne	Mr Ramsay	Mrs Kikkert	
Ms Cody	Mr Rattenbury	Ms Lawder	

And so it was resolved in the affirmative.

Mr Rattenbury's amendments Nos 1 and 2, as amended, agreed to.

Bill, as a whole, as amended, agreed to.

Question—That this Bill, as amended, be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 7	
Mr Barr	Ms Le Couteur	Mr Coe	Mr Milligan
Ms Berry	Ms Orr	Mr Hanson	Mr Parton
Ms Burch	Mr Pettersson	Mrs Jones	
Ms Cheyne	Mr Ramsay	Mrs Kikkert	
Ms Cody	Mr Rattenbury	Ms Lawder	

And so it was resolved in the affirmative—Bill, as amended, agreed to.

15 PRESENTATION OF PAPER

Mr Barr (Chief Minister) presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2016-2017—Chief Minister, Treasury and Economic Development Directorate—Corrigendum, dated October 2017.

16 CITY RENEWAL AUTHORITY AND SUBURBAN LAND AGENCY ACT—CITY RENEWAL AUTHORITY—LAND ACQUISITIONS QUARTERLY REPORT—PAPER AND STATEMENT BY MINISTER

Mr Barr (Chief Minister) presented the following paper:

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 13(2)—City Renewal Authority—Land acquisitions quarterly report—1 July to 30 September 2017—

and, by leave, made a statement in relation to the paper.

17 FINANCIAL MANAGEMENT ACT—CONSOLIDATED ANNUAL FINANCIAL STATEMENTS—2016-2017 FINANCIAL YEAR—PAPER AND STATEMENT BY MINISTER

Mr Barr (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2016-2017 financial year, dated 27 October 2017—

and, by leave, made a statement in relation to the paper.

18 PRESENTATION OF PAPER

Mr Rattenbury (Minister for Mental Health) presented the following paper:

Official Visitor Act, pursuant to subsection 17(4)—Summary report—July 2016 to June 2017—Mental Health Official Visitors.

19 ADJOURNMENT

Mr Ramsay (Attorney-General) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.33 pm, adjourned until Tuesday, 28 November 2017 at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Doszpot*, Mrs Dunne* and Mr Steel*.

*on leave

M M Kiermaier
Acting Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

LEGISLATIVE ASSEMBLY LEGISLATION AMENDMENT BILL 2017

Amendments circulated by the Speaker

1

Proposed new clauses 3A to 3C

Page 3, line 1—

insert

3A **Officer of the Legislative Assembly**
Section 6A (2)

omit

other territory laws

substitute

any other law in force in the ACT

3B **Section 6A (2), new note**

insert

Note A law in force in the ACT includes a territory law and a Commonwealth law.

3C **Section 6A (4)**

omit

other territory laws

substitute

any other law in force in the ACT

2

Proposed new clauses 7A to 7C

Page 5, line 1—

insert

7A **Officer of the Legislative Assembly**
Section 6A (2)

omit

other territory laws

substitute

any other law in force in the ACT

7B Section 6A (2), new note

insert

Note A law in force in the ACT includes a territory law and a Commonwealth law.

7C Section 6A (4)

omit

other territory laws

substitute

any other law in force in the ACT

**3
Proposed new clauses 18A to 18C
Page 11, line 1—**

insert

**18A Officer of the Legislative Assembly
Section 4A (2)**

omit

other territory laws

substitute

any other law in force in the ACT

18B Section 4A (2), new note

insert

Note A law in force in the ACT includes a territory law and a Commonwealth law.

18C Section 4A (4)

omit

other territory laws

substitute

any other law in force in the ACT

Schedule 2**CASINO (ELECTRONIC GAMING) BILL 2017**

Amendments circulated by Mr Rattenbury

1**Clause 26 (2) (a) (i)****Page 24, line 21—***omit*

\$5

substitute\$1

2**Clause 26 (5) (b) (i)****Page 25, line 11—***omit*

\$5

substitute\$1

Schedule 3

CASINO (ELECTRONIC GAMING) BILL 2017

Amendments circulated by the Attorney-General to Mr Rattenbury's amendments

1

Amendment 1

Clause 26 (2) (a) (i)

omit

\$1

substitute

\$2

2

Amendment 2

Clause 26 (5) (b) (i)

omit

\$1

substitute

\$2
